



***COUNTY OF ORANGE***  
***PUBLIC FACILITIES & RESOURCES DEPARTMENT***

*Vicki L. Wilson, Director*

Environmental Resources

1750 S. Douglass Road  
Anaheim, CA 92806  
Telephone: (714) 567-6360  
Fax: (714) 567-6220

July 22, 2003

Mr. Mark Smythe, Chief  
Coastal Stormwater Unit  
California Regional Water Quality Control Board  
Santa Ana Region  
3737 Main Street, Suite 500  
Riverside, CA 92501-6288

Subject: Response to Comments on Drainage Area Management Plan (DAMP) Section 7  
and Model Water Quality Management Plan (WQMP)

Dear Mr. Smythe:

The County of Orange, in cooperation with the Permittees to the Orange County municipal stormwater permit (Permit), Order R8-2002-0010, have reviewed the comments from the Regional Board in the letter dated May 21, 2003 on the DAMP Section 7 and the Model WQMP submitted by the Permittees on February 28, 2003. The Permittees appreciate that Regional Board staff have found the Model WQMP overall to be consistent with the requirements set forth in Section XII.B of the Permit and intend to work closely with Regional Board staff to develop a final Model WQMP that can be approved by the Executive Officer by or before October 1, 2003 as required by the Permit.

The enclosed response addresses both DAMP Section 7 and the Model WQMP, but recognizes that the Model WQMP is the document that must be approved by the Executive Officer and that Section 7 of the DAMP provides additional information on the implementation process for the Model WQMP. A revised Model WQMP and Section 7 of the DAMP are attached.

Most of the comments, in the May 21<sup>st</sup> letter appear to be either minor editorial or clarification items, or other relatively straightforward comments on specific elements. We have also identified several more substantive issues that often are reflected in multiple comments. To facilitate our response, we have grouped responses to and discussion of similar comments that relate to these key issues in the following section. A summary of the comments and our responses are listed in the second section of this letter. Where the model WQMP or Section 7 has been revised in response to comments, this has been noted.

### **Primary Issues**

#### **1. Evaluation of downstream and cumulative effects and impacts (comments 10, 20, 23, 34 and 36)**

Summary of comments: When identifying pollutants of concern in WQMPs, applicants need to consider all receiving waters, and during the WQMP process Permittees must consider the cumulative effects of build out of the watershed when evaluating if particular projects will contribute to habitat or erosion impacts on receiving waters.

Response: The Permittees agree that impacts to all receiving waters including cumulative impacts within a watershed are important considerations when evaluating the adequacy of a Project WQMP. We believe that the Permittees are best suited to develop the background for considering such impacts, as it is not practical nor efficient for individual Project WQMP applicants to address all regional and jurisdictional water quality concerns and water quality programs. The Permit provides for a comprehensive planning framework for water quality that includes reviewing and updating General Plans and development standards, updating the CEQA review processes, coordinating with the TMDL implementation process, developing Watershed Chapters for the DAMP and conducting other watershed planning processes. These are the most appropriate vehicles for the Permittees to use for comprehensive planning and addressing build-out impacts. These tools will serve as guidance for evaluation of appropriate and necessary BMPs for new development or redevelopment within a watershed. Through development and implementation of the DAMP's Watershed Chapters, and through implementation of their revised CEQA processes Permittees will have more comprehensive tools for evaluation of project impacts and appropriate water quality measures including downstream and cumulative impacts. As the total program is fully implemented, Permittees will have more information to communicate expectations to project proponents during the planning and CEQA phase of the project; and to determine the adequacy of Project WQMPs considering both project-specific and, as necessary, possible cumulative impacts.

For these reasons, DAMP Section 7 has been clarified to indicate that Permittees in reviewing Project WQMP's are to consider cumulative and impacts on receiving waters, and that such reviews will be facilitated through comparison to the Watershed Chapters of the DAMP, (once such chapters become available) and through the enhanced CEQA review process.

#### **2. Considerations of primary and secondary pollutants of concern in BMP selection (comments 20, 31, 34 and 36)**

Summary of comments: With regard to secondary pollutants of concern, the lack of a downstream impairment for a specific pollutant does not guarantee the secondary pollutant will not cause a problem in the watershed upon build-out.

Response: The intent of the Model WQMP is to require projects to select Treatment Control BMPs from among a number of accepted BMPs categories, and meet the flow or volume criteria for treatment quantity. In addition, the Model WQMP requires that where a project has been determined to result in the discharge of a primary pollutant of concern, the selection of Treatment Control BMPs should focus on those controls that are the most effective for

addressing the pollutants of concern for that project and watershed. The purpose of creating a distinction between primary and secondary pollutants of concern was to recognize the importance of addressing pollutants for which the receiving waters are listed as impaired and to comply with Section XII.B.2.b of the Permit which mandates that projects under the WQMP program not “discharge any listed pollutant to an impaired waterbody on the 303(d) list [that] cause an exceedance of receiving water quality objectives.” By creating the preference for focusing selection of BMPs on primary pollutants of concern, the Permittees did not intend to ignore other identified pollutants of concern. The combination of BMPs described within a Project WQMP (Site Design, Source Control, and Treatment Control BMPs) addresses the identified pollutants of concern. The Permittees recognize that oftentimes, pollutants of concern are addressed by Treatment Control BMPs, but the Permittees also recognize that pollutants of concern, including secondary pollutants, can also be addressed by Source Control and Site Design BMPs. With respect to selection of Treatment Control BMPs, Table 7.II.2 provides guidance for identifying the Treatment Control BMP(s) that are of medium to high effectiveness for treating either singly or in combination all of the primary pollutants of concern identified for that project. In addition all of the Treatment Control BMPs identified in the Model WQMP also provide a range of capabilities to treat the other pollutants. Therefore, targeting the primary pollutants of concern will also provide capabilities to reduce other pollutants.

To clarify the intent, the term secondary pollutants of concern has been deleted and changed to “other pollutants” and the text revised, to emphasize that all pollutants are important to consider and that Permittees reviewing Project WQMPs will examine the proposed BMPs as a whole in determining if the Project WQMP appropriately addresses the identified pollutants of concern.

### **3. Requiring On-Site Treatment Control BMPs on Top of Regional Treatment Control BMPs (comments 18, 31 and 33)**

Summary of comments: Unless regional or watershed management Treatment Control BMPs addresses all pollutants of concern from a particular site, then additional on-site Treatment Control BMPs will be required.

Response: The Permittees understand that the focus of the Permit’s Treatment Control BMP requirements are on the design standards for Treatment Control BMPs, which themselves relate to treatment of a specified volume or flow from a site. In the Model WQMP, the Permittees have added the concept of pollutants of concern to the program and indicated that Treatment Control BMPs are required to address identified pollutants of concern (Model WQMP § 7.II-3.2). However, Treatment Control BMPs are not the sole method of addressing pollutants expected to be contained within a site’s runoff. Source Control and Site Design BMPs will also serve to address pollutants of concern. For example, Use of Efficient Irrigation Systems and Landscape Design, is a required Source Control BMP for all new development and significant redevelopment projects; implementation of this Source Control BMP can help address such pollutants of concern as nutrients, pesticides, and bacteria that can be considered pollutants of concern within certain types of developments. In this way, the Model WQMP’s three types of BMPs work together to address pollutants of concern. We also understand that if a project’s BMPs, including Treatment Control BMPs (as required) do not address the identified pollutants

of concern, that the Permittees will require revision/ modification of the Project WQMP. The Permittees understand that the Regional Board is not suggesting that individual Project WQMPs include on-site treatment devices if regional Treatment Control BMPs adequately address the individual project's runoff.

The Model WQMP has been clarified to indicate that Permittees reviewing Project WQMPs will examine the proposed BMPs as a whole in determining if the Project WQMP appropriately addresses the identified pollutants of concern.

**4. The use of BAT/BCT vs. MEP as a standard for new development permanent BMPs (Comments 11, 15, 17 and 36)**

Summary of comments: Maximum Extent Practicable (MEP) is the standard governing municipal permittees under the Permit and Best Available Technology (BAT) and Best Control Technology (BCT) are the standards governing industrial facilities and construction sites.

Response: The regulatory basis of the Permit requires that the Permittees develop and implement a stormwater program that meets the MEP standard, including a program for New Development and Redevelopment. Within the overall MEP context of the Permittees' program, new development and redevelopment projects have specific prescribed requirements for selection and incorporation of BMPs from various categories, taking into account receiving water conditions, and for sizing structural Treatment Control BMPs to meet numerical criteria. The Permittees agree that the MEP standard governs the Permit and its programs, and that the BAT and BCT standards govern specified industrial properties by Standard Industrial Classification and construction sites. The prescriptive requirements in the Model WQMP set forth the standards for all other new development and significant redevelopment. Once the Model WQMP has been approved, it constitutes an MEP-based program for the Permittees, with project proponents implementing projects based on its specified prescribed requirements.

In order to avoid confusion, references in the Model WQMP and DAMP to both MEP and BAT/BCT as respect to specific criteria for BMP selection and design have been removed. In particular, in the first paragraph of Section 7.II-1.0, the goal of the Model WQMP has been revised to be similar to the stated goal in Section XII.B.2 of the Permit.

**5. Requirements for Source Control and Site Design BMPs (comments 18, 25, 26 and 35)**

Summary of comments: The comments request clarification as to the Source Control and Site Design BMPs required of projects under the Model WQMP.

Response: The intent of the Model WQMP and the WQMP template that is included in each Permittee's Local Implementation Plan (DAMP, Appendix A) is that all Source Control BMPs must be included with every project unless they do not apply because of project characteristics. A number of these BMPs will not apply to various projects simply due to the nature of the project (e.g., no common area landscaping, no outdoor material storage areas) and it is desirable to simplify both applicant and Permittees efforts so as not to require extensive effort to document and review why BMPs were not used in these cases. However, if project characteristics are such that a BMP is applicable, and the applicant proposes not to include the

BMP, a detailed explanation is required. This has been clarified in the appropriate sections, and the WQMP template will be revised.

With respect to Site Design BMPs, the intent of the Model WQMP is to require Priority and Non-Priority Projects to consider the inclusion of Site Design BMPs in projects where applicable and feasible, but not require any such BMPs be included, nor the reasons for this decision to be provided. Site Design BMPs by their nature must be appropriate to project site conditions, and are not applicable to all projects due to size, topography, soils characteristics and other factors. Many Site Design BMPs use non-traditional design approaches that frequently require changes in, or conflict with, other traditional development standards. Examples include using BMPs that rely on infiltration on sites with inappropriate soil or depth to groundwater conditions, or incorporating narrow street sections that conflict with current fire agency standards. Furthermore, the Permit does not require that Site Design BMPs be included at the individual project level, but does require Permittees to adopt general planning and watershed policies and principles that will encourage the use of such techniques and adopt them as jurisdictional or watershed development standards. The Model WQMP proactively provides guidance and incentives for project proponents to include Site Design BMPs "where practical and feasible", but without a specific burden of proof as to why specific Site Design BMPs were not included.

The comments also express concerns with the discussions within the Model WQMP on the relative effectiveness of Site Design BMPs for reducing runoff and pollutant loads. Revisions have been made in response to the comments, but the Permittees still believe it is important to emphasize the benefits of Site Design BMPs. Properly planned, designed and maintained, Site Design BMPs have been shown in many studies to be highly effective in reducing both the volume and/or flow rate of runoff and the corresponding pollutant load and are effectively used in a number of areas of the country. Under the appropriate conditions and where practicable, all or portions of a site can be designed to incorporate on-site techniques that promote infiltration and evapotranspiration up to the water quality design volume.

**6. Application of requirements to Significant Redevelopment Projects (Comment 5, 18 and 33)**

Summary of comments: Redevelopment projects meeting the sizing threshold referenced in the Permit require inclusion of Treatment Control BMPs regardless of the underlying project to which the redevelopment may be an addition.

Response: In attempting to respond to requirements of both the Santa Ana (North Orange County) and San Diego (South Orange County) permits to arrive at countywide consistency, the Model WQMP addresses significant redevelopment as follows:

- Use a common definition of significant redevelopment, which is similar in both permits
- Require all significant redevelopment projects, regardless of size or characteristics to prepare a Project WQMP
- Require all significant redevelopment projects that fall into one of the other subject land use categories upon completion of redevelopment to be considered as Priority Projects (term

from the San Diego permit) and include Treatment Control BMPs subject to numerical sizing criteria.

- For priority redevelopment projects, where the impervious area of the site is increased by more than 50%, require Treatment Control BMPs for the entire site.

Therefore, all significant redevelopment projects are covered in the Model WQMP as required by the Santa Ana permit, and Treatment Control BMPs are included where the redevelopment project characteristics are similar to any of the Priority Project categories for new development. This approach holds redevelopment projects to the same thresholds as new development projects with respect to requiring Treatment Control BMPs. This is an equitable approach and in keeping with the intent of other permits with SUSMP requirements (e.g. San Diego, Los Angeles). The permittees do not believe that it is the intent of the Permit to require Treatment Control BMPs on a significant redevelopment project that added 5,000 square feet to a commercial site of, for example, 50,000 square feet, when a similar new development project would not require Treatment Control BMPs. It should be noted that if the newly created area is 5,000 square feet of streets, roads, parking and other similar paved areas as noted in the comment, the paved area would itself be considered a Priority Project and require Treatment Control BMPs for that portion of the project, regardless of the nature of the rest of the site.

For the above stated reasons, the Permittees have determined that modification of the DAMP text and Model WQMP is not required.

#### **7. Use of 0.8 inch rainfall criteria (comments 33 and 38)**

Summary of Comments: Comments questioned the use of 0.8 inch of rainfall in calculations and guidance provided in the Model WQMP.

Extensive review of historical rainfall data was conducted by County of Orange hydrology staff and by Camp, Dresser and McKee (CDM), and found that across most of the coastal plain and lower elevation inland valley areas, the average hydrology does not vary substantially, and 0.8 inches represented a weighted average of all lower elevation stations. Furthermore, not all local stations have sufficiently long and complete rainfall records to develop equivalent 85<sup>th</sup> percentile estimates. On the other hand, average rainfall increases significantly at higher elevations within the southeast portion of the county. CDM developed an estimate of an average of 0.95 inches using data from several gauges at elevations within the foothills up to approximately the maximum elevation of potentially developable land. An elevation contour of 1,000 feet was determined to be a reasonable threshold between these two rainfall zones. This approach was discussed in Attachment A but was not clearly conveyed in the document. The text has been revised.

#### **Responses to Comments**

The following is a summary of responses to the comments received:

Comment 1. The purpose of this section was to summarize earlier (1993) DAMP commitments to provide context for development of the revised 2003 DAMP. At the time, the 5 acre requirement applied so this section was not changed. Section 7.6.3, Conditions of Approval has

been revised to reflect that the one acre threshold is now the requirement for all construction projects.

Comment 2. As noted in DAMP Section 7.2.1, the New Development/Construction Task Force was established by the Permittees to provide specific technical review on the proposed controls and the impact of their implementation. The Task Force included a wide array of interests including non-affiliated technical experts cited in the membership table. One of these was from the environmental community.

Comment 3. The sentence referencing inland cities has been deleted. For further discussion on evaluation of downstream and cumulative effects and impacts, refer to Primary Issue 1 - Downstream and cumulative effects.

Comment 4. The definition has been changed to delete new sidewalks and bike lanes from automatic exclusion (see also discussion under Primary Issue 6 - Redevelopment earlier in this letter). However, the Permittees believe that reconfiguring existing parking areas that does not add additional impervious area should be considered routine maintenance.

Comment 5. See discussion under Primary Issue 6 - Redevelopment.

Comment 6. Back-reference has been added to Section 7.6.2 that sets forth the requirements for projects requiring a Project WQMP. Section 7.6.2 requires Project WQMPs of all projects regardless of size that fit one of the categories in Table 7.1 that is based on Permit Section XII.B.1 (except as noted above for significant redevelopment).

Comment 7. Figure 7-3 is specifically applicable to private projects and this has been clarified. Discussion on tracking, inspection and enforcement for both private and public projects is included in section 7.6.6 and 7.7. Text has been added to indicate how post-construction tracking of public agency projects becomes part of the Municipal Activities Program.

Comment 8. The parenthetical phrase has been in the DAMP since 1993 and applies specifically to certain specialty local permits categories in which some Permittees may want to apply this particular condition rather than trying to reflect the exact terminology of the General Permit. The phrase has been put into italics.

Comments 9 and 15. The comment is noted. While industrial activities may be able to take advantage of the No Exposure Certification process under the anticipated General Permit revisions, they will still be required to file an NOI and will receive a WDID, and this is the proof that the Permittees will continue to require as a condition of approval regardless of whether the industry is subsequently able to achieve No Exposure coverage status. Therefore no change is proposed in the condition.

Comment 10. The statement in Section 7.6.3 has been clarified to indicate that these would be additional measures rather than substituting for the Model WQMP requirements.

Comments 11 and 12. The text in Section 7.6.4 has been revised to describe the level of detail expected in Project WQMP's (not construction level), the difference between Project WQMP

details and final design plans, and the role of BMP fact sheets in conjunction with other design details. In addition, the California BMP Handbook has been noted as one of many resources that should be consulted (a fuller list is provided in the Model WQMP Attachment B). See also discussion under Primary Issue 4 – BAT/BCT.

Comment 13. Second and Third bullets – text revisions regarding the elimination or reduction of sediment were made. However, including reference to BAT, BCT in plan notes is not appropriate for field notes. All applicable sites (1 acre or greater) follow BAT/BCT standards by conforming to General Permit requirements that are enforced by the Regional Board.

Fourth bullet – text has been revised;

Seventh bullet – text revisions made to tie more closely to General Permit language;

Eighth bullet – text revisions made to clarify groundwater infiltration.

Comment 14. The Permittees agree that review of an alternative BMP proposal should be reviewed to determine if the project proponent and the engineer of record have provided adequate information to support the certification of equivalent performance. However, the Permittees do not agree that approval of a Project WQMP that includes an alternative BMP that has been certified and adequately documented places any greater responsibility on the Permittee than approval of any of the other accepted BMPs listed in the Model WQMP.

Comment 15. See response to comment 9 and Primary Issue 4 – BAT/BCT.

Comment 16. Text added to describe that Operations and Maintenance should be performed annually prior to the start of the rainy season.

Comment 17. First paragraph – see discussion under Primary Issue 4 – BAT/BCT;

Second paragraph – text revised as suggested.

Comment 18. First paragraph – see discussion under Primary Issue 3 – On-Site Treatment Control BMPs and Primary Issue 6 – Redevelopment;

Second paragraph – see discussion under Primary Issue 5 – Source Control and Site Design BMPs;

Third paragraph – see discussion under Primary Issue 2 – Primary and Secondary Pollutants of Concern and Primary Issue 3 – On-Site Treatment Control BMPs.

Comment 19. First paragraph – added language in Section 7.II-3.2.2 regarding legacy pollutants;

Second paragraph – The definitions were generally taken from those used in the approved San Diego permit SUSMP. It is noted that there are a number of source definitions available; some edits have been made for clarification.

Comment 20. First paragraph – added language regarding consideration of downstream receiving waters;

Second paragraph – see discussion under Primary Issue 2 – Primary and Secondary Pollutants of concern;

Third paragraph – see discussion under Primary Issue 1 – Downstream and cumulative effects.

Comment 21. While paved areas of commercial sites and parking lots may generate small quantities of fine sediments that may in turn entrap metals, organics or oil and grease, as noted in other columns, from a total sediment load perspective, these land uses would not be expected to result in the same level of sediment per acre as non-paved areas whether in landscaped, bare or natural conditions. Therefore this is not proposed to be changed. With respect to pesticides, the footnote has been changed to denote “landscape open areas”.

Comment 22. The revised Model WQMP will contain the final 2002 list as approved by EPA. The mechanism for updating the 303 (d) list in the DAMP is through the annual progress reports.

Comment 23. Discussed under Primary Issue 1 – Downstream and cumulative impacts.

Comment 24. The first two items have been addressed. With respect to Public Agency Project WQMPs, the permittees’ municipal activities programs effectively cover all of the typical non-structural BMPs, and as a new facility is completed and becomes part of the Permittee inventory of municipal facilities, the BMPs will be implemented and tracked through that program, therefore, it seems redundant to include in the Project WQMP. However, the text has been slightly modified to clarify that these BMPs will be included for the project, as part of the Municipal Activities program.

Comment 25. First paragraph – see discussion under Primary Issue 5 – Site Design and Source Control BMPs.

Second paragraph – sentence has been deleted.

Second and Third paragraphs – see discussion under Primary Issue 5 – Site Design and Source Control BMPs.

Comment 26. Third paragraph – the term “minimize impervious footprint has been commonly used in most permits and stormwater planning guidance and the Permittees propose to keep this text. The decisions on determining allowable land use density, which is acknowledged as an important planning tool is more

appropriately considered in general planning, zoning and land use entitlement process. See Primary Issue 5 – Source Control and Site Design BMPs;

Fourth paragraph – regarding conserving natural areas, this was intended as general guidance; but as the comment noted, there are many potential considerations that cannot be fully represented in limited guidance and for which priorities may vary. Rather than try to reflect all possible issues and generalize priorities the specific items have been deleted while keeping the general guidance.

Comment 27. Permittees have reported on the incorporation of BMPs in WQMPs in prior annual reports and will develop guidance and training for the re-inspection or re-surveying of approved WQMPs, which will build on the approaches set forth in DAMP Section 9 for existing developments.

Specific Responses to Comments as follows:

BMP N2 – an example of activity restrictions has been included;

BMP N9 – revisions regarding fire department and local health care agencies have been made;

BMP N12 - the Permittees have implemented this requirement by having developed activity specific brochures and posters which have been made available for developers to distribute in conformance with the requirements set forth by the DAMP;

BMP N13 – appropriate revisions have been made;

BMP N14 – appropriate municipal program requirements have been referenced;

BMP N15 – the BMP already implies sweeping prior to the start of the storm season, further restrictions on scheduling of private sweeping are not considered practical;

BMP N16 – the BMP has been removed.

Comment 28. Permittees have reported on the incorporation of BMPs in WQMPs in prior annual reports and will develop guidance and training for the re-inspection or re-surveying of approved WQMPs, which will build on the approaches set forth in DAMP Section 9 for existing developments.

Specific Responses to Comments on BMPs are as follows:

Provide storm drain stenciling and signing – the Model WQMP already requires an overall plan for maintenance responsibilities of all BMPs;

Outdoor material storage – added prohibition on discharge language, but completely eliminating the possibility of introduction of precipitation is not practical short of fully enclosing areas;

Trash storage area – see previous comment;

Efficient irrigation systems – text has been revised;

Protect slopes and channels – requirements for full stabilization as quickly as possible and temporary slope protection are covered in the construction program, the Model WQMP focuses on the long-term design features.

Comment 29. table has been revised.

Comment 30. A restriction on “other features which are capable or equally effective” has been added.

Specific Responses to Comments on BMPs are as follows:

First paragraph - text has been revised;

Loading areas – text has been revised;

Maintenance bays – text has been revised;

Vehicle wash areas - text has been revised;

Outdoor processing areas - text has been revised;

Equipment wash areas – text has been revised;

Fueling areas - spill kits are part of non-structural source control BMPs, Fueling discharge detection and alarm systems and emergency/automatic shutoff devices are required by other regulations;

Wash water controls for preparation areas - text has been revised;

Community car wash racks – text has been revised.

Comment 31. First paragraph – text has been revised;

Other paragraphs – see discussion under Primary Issue 2 – Primary and Secondary Pollutants of concern and Primary Issue 3 – On-Site Treatment Control BMPs.

Comment 32. First paragraph – text has been added regarding identification of responsible parties and an appropriate level of either project-specific and/or coordination with regional monitoring programs. The Permittees do not necessarily agree that BMPs that may be used in regional programs are necessary less understood or demonstrated. It should be noted, for example that the Permittees have produced a report entitled “*BMP Effectiveness and Applicability for Orange County*” that provides the literature performance of many BMPs;

Second paragraph – text added to discuss coordination with Resource Agencies.

Comment 33. First paragraph – see discussion under Primary Issue 3 – On-Site Treatment Control BMPs.

Second paragraph – this flexibility of reducing the number of options was suggested for Permittees that wanted to simplify the process for project proponents and reviewers and would appear to be allowed under the Permit. However, this choice has been eliminated;

Third paragraph – see discussion under Primary Issue 7 – Rainfall criteria;

Four paragraph – see discussion under Primary Issue 6 - Redevelopment.

Comment 34. First paragraph – text has been revised;

Second paragraph – see discussion under Primary Issue 1 - Downstream and cumulative effects;

Third paragraph – see discussion under Primary Issue 2 – Primary and Secondary pollutants of concern;

Fourth paragraph - the reference to “supporting beneficial uses” has been deleted;

Fifth paragraph – turbidity has been included with sediment. Toxicity is reflected in other pollutants of concern such as pesticides, oil/grease, and organic compounds;

Comment 35. See discussion under Primary Issue 5 – Source Control and Site Design BMPs.

Comment 36. First paragraph – text revised as requested regarding waiver processing;

Second paragraph – see discussion under Primary Issue 4 - BAT/BCT;

Third paragraph – see discussion under Primary Issue 1 - Downstream and cumulative effects.

Comment 37. Text has been revised.

Comment 38. See discussion under Primary Issue 7 – Rainfall Criteria.

Comment 39. Corrected formatting errors and revised definitions.

We will be glad to discuss any of our responses and proposed changes further with Regional Board staff. We sincerely appreciate the input and cooperation we have received in the development of this critical element of the area-wide stormwater program.

Sincerely,

[Signed copy on file]

Larry McKenney,  
Manager, Watershed and Coastal Resources

cc: Orange County Permittees  
Technical Advisory Committee

Attachments